

District Judge Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

XIANZI HU,

Plaintiff,

v.

UR M. JADDOU, *et al.*,

Defendants.

No. 2:23-cv-1452-BJR

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings for 120 days from Plaintiff's scheduled interview. Plaintiff brings this litigation pursuant to the Mandamus Act seeking to compel the U.S. Citizenship and Immigration Services ("USCIS") to adjudicate her Form I-589, Asylum and for Withholding of Removal. For good cause, the parties request that the Court hold this case in abeyance until April 5, 2024.

Courts have "broad discretion" to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). "[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

1 With additional time, this case may be resolved without the need of further judicial
 2 intervention. USCIS has scheduled Plaintiff's asylum interview for December 7, 2023. The San
 3 Francisco Asylum Office will diligently work towards adjudication of her application within 120
 4 days of the interview date, absent unforeseen or exceptional circumstances that would require
 5 additional time for adjudication. To prevent the interview from being rescheduled, Plaintiff agrees
 6 to submit all supplemental documents and evidence to USCIS at least 7 days prior to the scheduled
 7 interview. Once USCIS adjudicates the application, Plaintiff will voluntarily dismiss this case
 8 with the parties to bear their own litigation costs and attorneys' fees.

9 Accordingly, the parties request that this case be stayed until April 5, 2024. The parties
 10 will submit a joint status report on or before April 5, 2024. In addition, the parties request that the
 11 Court's Order setting initial scheduling dates be vacated. Dkt. No. 7.

12 Dated: November 3, 2023

Respectfully submitted,

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21 ***I certify that this memorandum contains***
 22 ***310 words in compliance with the LCR.***

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ORDER

The case is held in abeyance until April 5, 2024. The parties shall submit a joint status report on or before April 5, 2024. The Court's Order setting initial scheduling dates (Dkt. No. 7) is vacated. It is so **ORDERED**.

Dated this 13th day of November, 2023.



Barbara Jacobs Rothstein
U.S. District Court Judge